

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61900 of 2023

Arising Out of PS. Case No.-511 Year-2023 Thana- AHIYAPUR District- Muzaffarpur

Jitendra Singh S/O Late Chulhai Singh R/O Village - Muradpur Bharat, P.S. -
Ahiyapur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

5 30-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with Ahiyapur P.S. Case No. 511 of 2023, registered for the offences punishable under Sections 272 and 273 of the Indian Penal Code, Sections 8(c) and 21(b) of the N.D.P.S. Act and Sections 30(a) and 36 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, 257.850 litres of illicit liquor and 21.16 gm of smack have been recovered from the newly constructed house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that the alleged recovery is from the newly constructed house and not from the dwelling house of the



petitioner. He also submits that petitioner was not arrested on the spot and the seized smack is in the category of below commercial quantity. He further submits that charge-sheet has already been submitted in this case against the petitioner and there is no chance of absconding or tampering with the evidence. He also submits that the petitioner has two criminal antecedent and he is in jail custody since 15.05.2023.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case and the submissions of learned counsel for the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, IInd, Muzaffarpur in connection with Ahiyapur P.S. Case No. 511 of 2023, subject to the following conditions:-

(i) One of the bailors shall be own/close member of the family of the petitioner.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court below and shall remain physically present as directed by the Court below and on his absence on two consecutive dates



without sufficient reason, his bail bond shall be cancelled by the
Court below.

(Sunil Dutta Mishra, J)

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